IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 12826 of 2007(S)

OA.548/2006 of CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

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PETITIONER:

V.PREMAKUMARI,LOWER DIVISION CLERK,
OFFICE OF THE DIRECTOR OF ACCOUNTS (POSTAL),
THIRUVANANTHAPURAM,(RESIDING AT PREMKRISHNA'
T.C 14/1061,VAZHUTHAKAD,THIRUVANANTHAPURAM).

BY ADV. SRI.K.KARTHIKEYA PANICKER
SMT.DAYA K. PANICKER

RESPONDENTS:
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1. UNION OF INDIA,REPRESENTED BY THE SECRETARY,DEPARTMENT OF POSTS,NEW DELHI.
2. THE DIRECTOR,OFFICE OF THE DIRECTOR OF ACCOUNTS (POSTAL),G.P.O COMPLEX,THIRUVANANTHAPURAM
3. CHIEF POSTMASTER GENERAL,KERALA CIRCLE, THIRUVANANTHAPURAM.
4. THE REGISTRAR,CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH.

BY ADV. SRI.P.PARAMESWARAN NAIR, CGC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN & ANTONY DOMINIC, JJ.

W.P.C. No 12826 of 2007

Dated: 25th May, 2007.

JUDGMENT

Radhakrishnan, J.

This writ petition is preferred against the order passed in O.A. No 548 of 2006. Application was preferred by the petitioner seeking correction of date of birth in service records. According to her, she made an application on 28.8.1991. Though the application was received it was noticed that it was not supported by any certificate for proof of age. Later she submitted representation dated 15.09.2004 stating that the certificate for proof of age would be produced on receipt of the same from the Registrar of Birth and Death. Later on receipt of the birth certificate she submitted the same along with representation dated 3.10.2005. Request was rejected by the Department on the ground that she had not applied within five years from the date of entry into service. Counsel submitted that the application submitted in the year 1991 was a proper one and should have been entertained. Facts would indicate though the application

was filed in 1991 no supporting document had been produced and therefore there is no proper application in the eye of law. In such circumstances, the Tribunal rejected the request for making correction of date of birth, in our view, rightly. This writ petition therefore cannot be entertained. It is dismissed.

Sd/-

K.S. RADHAKRISHNAN
Judge

Sd/-
ANTONY DOMINIC
Judge

25/05/2007
en/

[true copy]